

UNITED STATES DISTRICT COURT

for the

Eastern District of Wisconsin

United States of America

v.

Kirk Robert Christ MICKELSON
(DOB: xx/xx/1989)

Case No. 24-896M(NJ)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 27, 2024 - August 16, 2024 in the county of Milwaukee in the
Eastern District of Wisconsin, the defendant(s) violated:*Code Section*18 U.S.C. § 545
18 U.S.C. § 922(a)(1)(A)
18 U.S.C. § 922(g)(1)
and 18 U.S.C. 921(a)(3)
(C)*Offense Description*Smuggling Goods into the United States.
Unlicensed Import of a Firearms in Foreign Commerce.
Felon in Possession of a Firearm.

This criminal complaint is based on these facts:

See Attached Affidavit.

☒ Continued on the attached sheet.

LEIGHTON J MUDEL

Digitally signed by LEIGHTON J
MUDEL
Date: 2024.09.10 10:27:36 -05'00'*Complainant's signature*

Leighton J. Mudel, HSI SA

*Printed name and title*Sworn via telephone; transmitted via email
pursuant to Fed. R. Crim. 4.1Date: 9/10/2024City and state: Milwaukee, Wisconsin*Judge's signature*

Honorable Nancy Joseph, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Leighton J. Mudel, having been duly sworn, depose and state as follows:

1. I am a Special Agent (SA) with Homeland Security Investigations (HSI) and have been so employed since January 2023. I am currently assigned to the HSI Office of the Resident Agent in Charge (RAC) in Milwaukee, Wisconsin. My duties include investigating criminal violations relating to importations, firearms, firearm components, and firearm attachments including violations of producing, distributing, receiving, and possessing such illegally obtained items, in violation of Title 18, United States Code, Sections 545, 922(a)(1)(A), and 922(g)(1). I have received training in the investigation of firearm, firearm component, and firearm attachment offenses and have observed numerous examples of the like.

2. The information contained in this affidavit is based on evidence developed during the course of my investigation of Kirk Robert Christ MICKELSON. I have also reviewed reports prepared by other law enforcement officers, including investigators with HSI. As the reports were prepared by other law enforcement officers during the course of their official duties, and I have relied on such reports in the past, and I believe them to be reliable.

SUMMARY OF VIOLATIONS

3. The purpose of this affidavit is to support an application for charges and a criminal arrest warrant for MICKELSON. I believe that this affidavit provides probable cause to believe that MICKELSON has committed the following violations: Smuggling Goods into the United States, in violation of 18 U.S.C. § 545; the Unlicensed Importation

of a Firearm in Foreign Commerce, in violation of 18 U.S.C. § 922(a)(1)(A); and being a Felon in Possession of a Firearm, in violation of 18 U.S.C. § 922(g)(1).

BACKGROUND OF THE DEFENDANT

4. On September 28, 2009, MICKELSON was convicted of Possession with Intent to Distribute Marijuana, a felony, in Rock County Circuit Court case number 2009CF254. On February 7, 2014, MICKELSON was convicted of three counts of Felony Bail Jumping in Rock County Circuit Court case number 2013CF1206. On February 7, 2014, MICKELSON was convicted of Felon in Possession of a Firearm, a felony, in Rock County Circuit Court case number 2013CF151. On October 2, 2015, MICKELSON was convicted in Eastern District of Wisconsin case number 14-CR-112 of a Conspiracy to import Methyline into the United States. As detailed in the plea agreement, MICKELSON and his co-conspirators were involved in importing Methyline from Chinese sources of supply (SOS) into the Eastern District of Wisconsin and elsewhere. Western Union records between October 2011 and January 2013 revealed that over \$50,000.00 was sent from Wisconsin to the Chinese SOS for Methyline in 34 transactions including payments by MICKELSON.

5. A search of court records also show MICKELSON is currently on federal supervised release in United States District Court, Eastern District of Wisconsin case number 14-CR-112.

6. According to MICKELSON's Supervising U.S. Probation Officer, MIKELSON resides at 3063 N. 8th St. Milwaukee, Wisconsin 53206, which is the upper unit of a duplex.

DETAILS OF INVESTIGATION

7. On August 21, 2024, Customs and Border Protection (CBP) seized a firearm suppressor, also known as a silencer, which was imported from China.² The package listed MICKELSON as the intended recipient. Record checks revealed that MICKELSON does not have a valid license to import firearms into the United States and is also prohibited from possessing a suppressor due to the fact that he is a convicted felon. Pursuant to 18 U.S.C. § 921(a)(3) (C) a suppressor or silencer is a firearm.³

8. Based on my training and experience, your affiant is aware that there is a significant market that has developed in the United States for the importation into the United States of high-quality firearm suppressors from China. Generally, the packages are sent through various international shipping centers such as Dalsey, Hillblom and Lynn, commonly referred to as DHL, and are addressed to named individuals at specific locations in the United States. The senders have been identified as being YBD, JC Machinery Tools Inc., and other companies in China known to CBP and HSI as being exporters of illegal suppressors to the United States. These packages usually weigh between 0.10 and 2.34 kilograms and are falsely labeled as containing “filters” and “purifiers,” but once opened under CBP’s authority to inspect such suspected parcels coming into the United States from abroad, are found to contain suppressors. The street value of a single suppressor made in China can be as much as \$1,500.

9. On or about March 27, 2024, MICKELSON was shipped a parcel from YBD, an entity located in China. The parcel was manifested as a “purifier.” Although the

² CBP derives the authority to inspect this parcel from 19 Code of Federal Regulations 162.6, which states that, “All persons, baggage and merchandise arriving in the Customs territory of the United States from places outside thereof are liable to inspection by a CBP officer.”

³ 18 U.S.C. § 921(a)(3) (C) states that “the term ‘firearm’ means....a firearm silencer”

parcel was not inspected, based on my training and experience, a package of this size and type of package, your affiant believes it likely contained another suppressor.

10. On August 16, 2024, HSI SA Gary Roy received information from CBP in reference to the illegal importation of a parcel containing a suspected firearm suppressor, also known as a silencer. CBP notified HSI Milwaukee of a parcel they had seized from the DHL international shipping center located in Oak Creek, Wisconsin and CBP indicated that parcel was shipped by JC Machinery Tools Inc. out of Hong Kong, China on or about August 13, 2024. The parcel (shipment ID# 2904499942) weighed approximately 1.44 kilograms and was manifested as an "oil filter." The listed recipient was Kirk MICKELSON at the address of 3063 N. 8th St. Milwaukee, Wisconsin 53206.

11. CBP also determined that between March 2024 and August 2024, approximately 20 parcels originating from China were shipped to MICKELSON and/or his live-in girlfriend at the same address of 3063 N. 8th St. Milwaukee, Wisconsin 53206. Based on your affiant's training, experience, and familiarity with this investigation your affiant believes this large number of parcels, sent to MICKELSON from China in a 5-month period is consistent with MICKELSON illegally importing contraband from China for the purposes of distribution. All the packages weighed between 0.10 and 2.34 kilograms, numerous of the packages were labeled as being "purifiers" and "filters," and valued at approximately between \$5 and \$90 dollars. As stated above, the street value of such silencers can be as high as \$1,500. Therefore, conservatively, the 20 parcels have a combined value of \$30,000.

12. In addition, CBP has also determined that YBD was the shipper of

approximately another 112 packages seized by CBP between the dates of January 22, 2024, and August 24, 2024, in Wisconsin. Among these seizures, approximately 99 were firearm suppressors, numerous of which were manifested as “purifiers.” Based on my training and experience, I know that the size of the packages, their weight, and the country of origin, that such packages are consistent with the illegal importation of suppressors.

13. Your affiant learned that on August 16, 2024, a shipment was referred for an enforcement inspection by CBP. The CBP ATS Import Cargo system showed that it was manifested as “OIL FILTER SAPRE STAINLESS STEEL F,” and had a declared value of \$50.00. The package originated in Hong Kong, China, and the shipper was listed as JC Machinery Tools Inc. (a known SOS for suppressors). The package was addressed to MICKELSON at 3063 N. 8th St. Milwaukee, Wisconsin 53206.

14. A further inspection was done by CBP on August 19, 2024, on the package addressed to MICKELSON. Authorities examined the package and found one (1) firearm suppressor kit consisting of a solid metal tube along with smaller metal pieces known as baffles³, which when assembled, form a suppressor. The suppressor was made out of stainless steel. Based on these findings, the shipment was seized. The estimated street value of the suppressor is approximately \$1,500. This would be approximately 17 times the declared value of the package as listed by the SOS.

15. Your affiant has learned from the employees at DHL that on or about August 16, 2024, a person who identified himself as MICKELSON contacted DHL asking to pick up the parcel at the DHL facility in Oak Creek, Wisconsin. MICKELSON arrived at the

DHL facility at approximately 6:30 pm in an attempt to retrieve the parcel. A DHL employee stated to your affiant that at this time, MICKELSON stated, while describing the package, that it was sent from "JP Machinery." HSI SAs reviewed security camera footage taken at the DHL facility, and observed at around 6:30 pm, MICKELSON entered the facility and in fact interacted with a DHL employee. The footage also showed MICKELSON on his cell phone and leaving the facility after approximately 10 minutes. Your affiant knows from my training and experience that individuals who are purchasing or receiving illegal silencers for others, will often contact them when they attempt to retrieve such a package, so as to let them know if the contraband has been obtained.

16. MICKELSON later contacted DHL customer service on August 17, 19, 20, and 21, of 2024 in a continued effort to locate the parcel. Each time, MICKELSON requested the package and stated that he would come to the DHL facility to pick up the package.

17. On August 26, 2024, at approximately 4:00 pm, your affiant and SA Roy arrived at the DHL facility where MICKELSON had previously attempted to retrieve the parcel (shipment ID# 2904499942) containing a firearm suppressor. Your affiant retrieved video and photographs of MICKELSON's presence within the facility and turned the evidence over to an HSI Criminal Analyst.

18. On August 27, 2024, the HSI Criminal Analyst returned comparison results between social media photographs and the DHL photographs of physical attributes and tattoos, providing a high level of certainty that MICKELSON was depicted at the DHL facility, attempting to retrieve the parcel containing the firearm suppressor.

19. MICKELSON is prohibited from possessing firearms, firearm suppressors, ammunition, and NFA items due to him being a person previously convicted of a felony offense. In addition, he is prohibited from Smuggling Goods into the United States, in violation of 18 U.S.C. section 545. Further, MICKELSON is not licensed to Import a Firearm or suppressors in Foreign Commerce, in violation of 18 U.S.C. section 922(a)(1)(A). He is also not a registered FFL in the United States.

20. Based on the facts stated herein, your affiant believes there is probable cause to believe that MICKELSON committed the violations as stated above.